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Eugenics and the state

[Jeffersonville]

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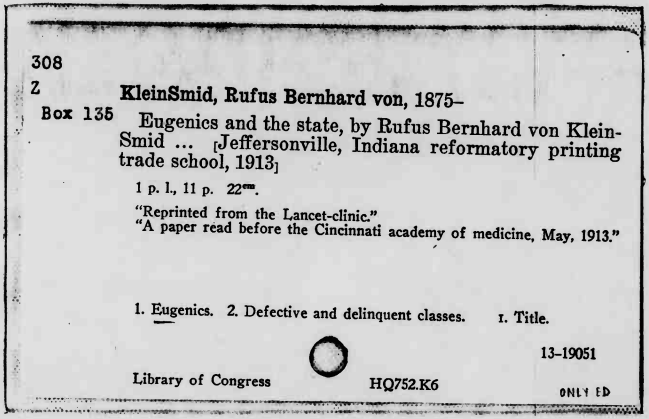

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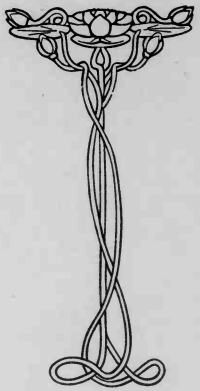
EUGENICS AND THE STATE

VON KLEINSMID



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Eugenics *and* The State

By

Rufus Bernhard von KleinSmid
Associate Superintendent *and* Director *of the* Department *of* Research, Indiana Reformatory, Jeffersonville.

A paper read before the
Cincinnati Academy *of* Medicine,
May, 1913.

[Reprinted from the Lancet-Clinic]

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IT would appear from a careful study of the great reforms which mark the progress of human society that the principles for which men fought, came into general acceptance only after having passed through three well defined periods. At first, their expression was entirely ignored, then, ridiculed, and finally, openly and bitterly opposed until by the very forces of their own truth they gained acceptance. The science of Eugenics is called upon to experience the travail of its numerous predecessors. Today, many of those who pride themselves justly upon their wide acquaintance with the best things of scientific discovery and organization scarce admit that they know the meaning of the term and listen to the discussion of Eugenics when compelled to do so with that shrug of the shoulder which indicates that its consideration is hardly worth while. Among others, where, as a formulated science, Eugenics has been known for a longer period of time, it has been ridiculed, called "no science," but the latest "nuisance," or in the language of Dr. Eder, in commenting upon the latest Mental Deficiency Bill in England, "the crudest mumbo-jumbo science," the bill itself dubbed, "so ignorant, so perverse and so unnecessary." Some in these quarters have gone so far as to affect to treat the whole thing as a new and naughty joke, devoting the time set aside for recreation to tossing off humorous articles for the scientific periodicals. In still other quarters, where the principles of Eugenics have forced themselves upon the attention of thinking people, the new science has met with determined opposition, and this, not as might be supposed from the unthinking and the uneducated alone, but from those who, doubtless honestly, claim to find in the acceptance of its principles some sort of compulsory and obnoxious application to society, which in their minds would be a calamity beyond description. In spite of the delays attending the progress of this science though the various attitudes which I have noted, there is

little question that the general acceptance of the science of good birth is inevitable. Enlightened people can no longer ignore the plain facts of heredity. To pass pleasantries is excusable, and may do no harm. To ridicule is foolish, and is but the careless hurling of the boomerang. To oppose is futile. The acceptance is even now upon us, and the application of the principles of Eugenics to organized society is one of the most important duties of the social scientist of the present generation. Knowledge of the laws of inheritance, however, is by no means coincident with knowledge of their practical application, and it is not to be hoped that the coming years will not see mistakes made or even injustice practiced; and yet no one would deny that the application when once the truths are known is forced upon us. It is the unquestionable duty of those who know the truth, to give unstinted time and energy to its working out in the social whole.

It seems to me that the great question before us is not how much of what the individual is may be traced to the operation of the laws of heredity, though there are those who, with amazing optimism in the face of the great difficulties to be surmounted, assure us that even this shall be known in the near future when the inherited forces within the individual may be tested and accurately computed by quantitative analysis; but on the contrary, the immediate problem is the determination of the fact that certain forces are passed on from generation to generation and the determination of the probable limits of the power of these forces. The little red schoolhouse question for debate on the supremacy of inheritance or environment is not without its serious side. The International Eugenics Congress and the Eugenics Record Office established at Cold Springs Harbor in 1910, need no justification beyond their purpose—"to promote researches in Eugenics that shall be of utility to the human race and to publish the results of these researches." Scarcely can it be claimed that the sum total of knowledge in the field of heredity up to the last decade was based upon the results of scientific method. Rather was it of the most general nature, and of a general unsubstantiated conclusion. Scientific men professed to know a great deal concerning the laws of human inheritance, but the best methods by which such knowledge was gained would hardly pass the careful

scrutiny of even a mediocre collegiate labratory. General belief in the effect of heredity upon human life has been voiced in unwarranted dogma and in unsound platitudes. How widely is it held, for instance, that a marriage between cousins argues children of whom the parents must be ashamed, or that continued intermarriage of families or clans spells strabism, debility or feeble mindedness; or that Frederick Adams Woods is a fool to argue that the reigning houses of Europe at the present day, in spite of the fact that they are conspicious for their marital interrelations, may exhibit the strong and virile qualities of their ancestors quite as well as the weaknesses which their forebears possessed; or how generally is it believed that lowly birth and lack of special opportunity are a boy's best guarantee of success in life, adequately proven by the fact that Columbus was the son of a weaver, that Cromwell was the son of a brewer, that Bobbie Burns was born in a hut or that Lincoln was too poor to acquire weight as he acquired wisdom. A Dr. Johnson beholding a thief ride by in Tyburn may remark: "There, but for the grace of God goes Samuel Johnson," but that neither indicates necessarily that the Lord has been ungracious to the thief, nor that Dr. Johnson knew what he was talking about. It would seem that the life work of a Drawin or a de Lamarck should have borne more immediate fruit, and that the trees planted by Mendel, Galton and Burbank earlier should have born leaves for the healing of the nations, but where scientists themselves are slow to accept the truth that denies traditions and traditional practice, how much less may we expect reasonably that the great masses, whom scientists teach, will be ready to accept sound doctrine. Society does and must await the dictum of its technically trained members.

Accepting then the principles of Eugenics in so far as they have been substantiated beyond reasonable doubt, here is a condition which confronts us, namely, that mankind in practice reverses the process of natural selection, and that increase among the subnormal is at a rate out of all proportion to that of the normal; one has put it, "the fertility of the helpless is alarming, and the procreation of their kind seems to be their only industry." The report of the "Commission to investigate the Question of the Increase of Criminals, Mental Defectives, Epileptics, and Degenerates" in the

State of Massachusetts, in January, 1911, reports: "in 1890 there was in this state one insane person to every 395 of the general population; in 1909 the ratio was one to every 279. Among the countries of the world where the same general conditions of civilization exist, the ratio of insanity to the population is a fairly uniform one. Statistics for 1907 show that in England there was one insane person to every 282 of the general population; in Scotland one for every 278; in Massachusetts one for every 289; in New York, the ratio is one for every 300."

The average worth of the individual to society is constantly lowered because of both the lack of productiveness among the worthy, and the fecundity of the defective. There can be no question of the outcome of the tragedy when society must depend finally upon an average ability too feeble to stand upon its own feet. It is estimated that one million of our population are incarcerated in public institutions, while three times that many, through their own incapability, pull a dead weight against society's progress. This mass of incapables is approximately four per cent. of the entire population, and it bids fair to become five, eight and, all too soon, ten and twelve, while we continue in our present understanding and practice. And of what classes is this mass composed? In the language of the new Mental Deficiency Bill, of "those found wandering about neglected or cruelly treated; those who are habitual drunkards; idiots, persons so deeply defective in mind as to be unable to guard themselves against common physical dangers; imbeciles, persons incapable of earning their living by reason of mental defect; feeble-minded persons capable of earning their living in favorable circumstances, but incapable of competing on normal terms with their fellows, or of managing themselves or their affairs with ordinary prudence; moral imbeciles who display mental defect coupled with vicious or criminal propensities, on which punishment has little or no deterrent effect; the mentally infirm, who, through age or the decay of their faculties are incapable of managing their affairs." Here, then, is the problem.

Too much cannot be said in praise of social workers who, through the years, have endeavored to the best of their ability with the light to be obtained, and the material means at hand to cope with the situation; but organized social

forces, in the absence of a well organized science, do not now, nor ever can handle this situation sucessfully. It is fair to say that too much of the effort which these organizations have put forth has done little more than to save to the state the defective classes, making it less and less likely that the rigors of climate and the prevalence of disease and other devastating conditions among which these people live may tend toward the survival of the fittest. We who are strong have borne the burdens of the weak, as we should have done, and the weak have repaid us by furnishing still greater burdens for us to bear. Not one ounce from the weight of the burden which we should realize in the presence of the generations already born, would I seek to lift from the conscience of those who are fitted not only to carry their own loads, but to help a weakling carry his load as well, but I do insist that this obligation does not extend to the generations yet unborn, whose birth can be nothing to themselves nor to society, other than the most pitiable mistake. Self preservation in the individual may be the first law of nature, but in his case self-preservation is not a necessity; in society, however, self-preservation is both its first law and its most fundamental necessity.

In any legislation which society may enact for the purpose of self-preservation, it must be understood that there is not to be grounds for the slightest criticism that class is working against class, and that which may not a first glance appear to be for the best of all concerned, in the last analysis must prove to be that means by which each in his own best way contributes to the greatest good of the race. Scarcely is it to be hoped that each individual case will furnish an instance of that high type of altruism which chooses to sacrifice a present personal pleasure for the future good of society, and yet nowhere must organized society cater to the mere whim or the utter selfishness of the individual. Whatever steps may be taken so prevent the augmenting of that part of society's membership which can never be other than a hindrance and a drag, must be taken with the consciousness that what is best for society must be acceptable to the individual. To my mind it is folly to argue that society should legislate to protect itself against the unfit of the present generation, but has no right so to legislate as to free itself from the ever increasing burden that must come

to it through the inevitable unfitness of the generations yet unborn.

As ways by which society may effect the proper control in this matter, three suggestions have come to us, and to some extent, these have undergone the test of experimentation. The first is be the enactment of such laws as will compel a certificate of physical and mental fitness before a marriage license may be secured. A few states have come boldly to the front and have tried this out, but their example has not been followed, nor is there much hope that it will be. Several reasons may be urged: In the first place, where society in the past has undertaken to legislate in matters of matrimony, the individual student of Eugenics must confess that it has not always acted wisely. The forbidding of marriage between cousins, for example, scarcely can be justified; and again, legislation to regulate marriage seems too far in advance of public sentiment to secure that support which would make it effective. There is little question that where laws are not based upon the crystallized opinion of the people who are to be governed by them, and are not the statement of the purpose and desire of society to regulate its conduct in keeping with their spirit, they will be disregarded with impunity, and soon will become a dead letter. And still again, legislation to regulate marriage, of necessity must be interstate in its application. The ease with which we travel, and the readiness with which favors may be obtained across a state line, are practical arguments to prove the futility of merely state laws. In Kentucky a young lady must be twenty-one years of age to be married legally without her parents' consent, but a five cent fare will carry her across the Ohio river and deposit her at the door of a magistrate's office in which last year over eleven hundred of the two thousand marriages which took place in a certain Indiana county were performed. There is nothing to prevent the feeble minded from seeking and securing a license to marry in some other state than that in which such marriage is forbidden, and thousands are foolish yet witty enough to do so. It is urged by some that all that is necessary is to hasten the day when all the states of the Union shall legislate and enforce their enactment in this matter. But there remains yet another objection to depending upon this treatment alone, for the solution of our social

difficulty. Strange as it may seem, it is nevertheless true that a normal or an abnormal expression of the personal instinctive tendencies, is not to be denied by any dictate of society, much less is this true where the instinctive passion is not regarded or controlled by good judgment and high moral standards. Our defective classes breed like rabbits with or without "benefit of clergy;" and while we are endeavoring to develop that keen yet tender social conscience which would be necessary for the enactment of such laws as are suggested, since these are bound to be more or less unavailing in furnishing the solution of the problem, would it not be better to turn to some other means more effective and, perhaps, more in keeping with the present attitude of the public mind?

In a very able and convincing paper read before the American Prison Association at Baltimore in 1912, Dr. Hastings H. Hart insists that "segregation is the most practical and effective method," and to substantiate his claim he cites the present practice in the case of the insane. By one means and another in the last twenty-three years the number of insane segregated in hospitals and asylums has been increased from 82 to 186 for each one hundred thousand of the population. The following suggestions are offered by Doctor Hart as a working program: To secure legislation whereby institutions for feeble minded shall hold their inmates by legal commitment; to secure legislation whereby the feeble minded found in institutions for other classes may be kept permanently in public care; to provied by law for the establishment of a separate department for feeble minded in connection with prisons and reformatories; to convert existing institutions no longer needed for their present purpose into state institutions for defective delinquents; to undertake a comprehensive campaign for caring for feeble-minded girls of child bearing age; to undertake a vigorous campaign throughout the country for increasing the provision for the feeble minded of all classes. With all of this we must heartily agree. While Doctor Hart is planing to care for a total of twenty-six thousand defective delinquents in actual custody and probably as many more at large, it must be borne in that mind every defective is potentially a delinquent, and that such a program, if followed, would mean an attempt to segregate four millions of our people.

One generation of such segregation would like by free us of from one-half to three-fourths of the burden which we now bear; but here again, progress along this line demands a condition of public sentiment which, in the light of the fact that so small a percentage of our unfit classes are at present sequestered, seems to develop very slowly. The last report of the New York Board of State Charities shows only four thousand out of its thirty thousand feeble minded cared for in institutions; Massachusetts looks after but one out of five or six. To follow out such a program should mean too, a most careful analysis to avoid confusion between the occasional merely delinquent and him with an hereditary defect, for it is not always true that the delinquent of the present generation does not have it in him to become the parent of normal children. With the plan suggested by Doctor Hart for defective delinquents extended, as some argue, that it should be, to cover the whole class of the socially unfit, segregation must needs deprive of liberty and probably marriage a number who might be far better off outside of an institution than within it, contributing at least a little to the life of the social whole without burdening the state with the necessity of their entire care and direction.

A third method of handling the problem is suggested, namely, sterlization. We must all agree that those who, in the nature of the case, can do little else than pass on to their offsprings the defects which make themselves burdens to society, have no ethical right to parenthood. To deny them this privilege is, in the language of John Harris, "no infringement of liberty, it is a curtailment of unbridled license which is a disgrace to our civilization (?) and to our vaunted Christianity." As yet only eight states have legalized the practice of sterilization with or without the consent of the patient. The effects of castration or oophorectomy seem to be so little understood, and the necessity of this operations so far from being generally acknowledged that it is a question whether this means would meet, for many years to come, with anything like general approval; but the operation of vasectomy on males, or salpingotomy on females as suggested and practiced by Dr. Harry C. Sharp is fraught with so little inconvenience to the patient, while accomplishing complete sterilization, that it is meeting with the approval of those who believe that there exists a certain percentage

of defectives who should be allowed liberty and even the privilege of marriage, but under no circumstances should become parents. Wider support of this method is bound to come with a more widespread understanding of what it means. It is asserted by some that the sterilized woman at liberty in society becomes a more serious menace because of the likelihood of spreading disease, but when we consider the fact that it is upon the defective that the operation is to be performed, and that, except for an occassional woman of normal mentality, all prostitutes are defective, we must agree that a knowledge of the asexual condition removes no deterrent to license active before the operation, which operation surely does not increase the odds in favor of a pathological condition. I agree that the segregation of this class is a necessity for the solution of the problem of the social evil; however, under present conditions and in the light of present public sentiment, complete segregation is too far from accomplishment.

After all, may we not find a scientific and a present-day way out of our social predicament through a combination of all three of these suggested practices? Let us multiply marriage laws, let us segregate in so far as this is possible, and there is still a place in any effective program of today, for sterilization.

A prime necessity in any program for social betterment is the discovery of the defective at the earliest possible moment, allowing of the most humane treatment of them through a longer portion of their lives, and for their safest care in the light of what society owes to itself. The economic waste everywhere apparent in our treatment of that portion of this class who do come under our observation is nothing short of appalling. To think of the hundreds of thousands of school children of normal mentality whose daily progress is marked, not by what it is possible and even easy for them to accomplish, but by what in the presence of defective pupils of the public schools they are allowed to accomplish; to observe the elaborate and the expensive equipment of our industrial schools for boys and girls supported by state funds, squandered upon so large a percentage of those whose mental equipment alone argues their utter inability to profit by it; everywhere to be forced to adjust ourselves to the organization and administration which necessarily limit the

initative and the opportunity for expression of the wise and the best, because of the presence among us of so many who cannot stand alone, all of this is most discouraging. Why admit to our public schools—at least to any other sort than those organized especially to care for such—the feeble minded boy and girl, when we all recognize the fact that for feeble mindedness there is no cure, and that the idiot and the imbecile cannot be educated in any fair sense of the word? We should give to them that kind of training alone by which they can profit, when training of any sort is possible to them. Why commit to our penal institutions the feeble minded boy and girl? In their utter inability to recognize right from wrong they are entirely incapacitated for adjusting themselves to society's laws, even though they may have committed so-called crimes. Our state training schools, our reformatories and our prisons, should be institutions where problems peculiar to the criminal are worked out, and whose operations should not be hindered by the presence of persons to so large a number, who, in practically no degree, can profit by the necessary organization which meets the ends for which these institutions were established. Not that this class has no rights—decidedly they have rights, and above all, the right to receive from society such helpful consideration as will fit them to live most happily under the limitations into which they were born. But so do the normal boy and girl have rights, and above all the right to grasp from youth the fullest measure of what youthful life can gain without the hindering presence of those who can never help, and to be made happy in that environment so necessary to the highest development of the normal youth. It may not be practicable nor wise to adopt the Greek plan of welcoming every babe into the world in the presence of an agent of the state, nor yet to expose on the mountainside those babes who furnish immediate evidence of their unfitness for life; on the other hand there is little question that the physician here in reporting to the proper authorities the physical condition of newborn babes, and, in so far as continued observation is possible, the mental condition, can render an incalculable service to society. Unnumbered thousands of defective children live in homes at the mercy of ignorant and defective parents, and are known to undergo such neglect and torture as should shame us in our ignorance and

inertia. Every school district should have access to a physician and a psychologist (if both may be found in the one individual so much the better at present) whose findings should be the basis of whatever educative process should be applied to the child through the period during which he is under control; and such segregation of school children should be accomplished as would carry out prescribed plans to greatest advantage. Every court should have attached to it a scientist whose business it should be to examine the physical and the mental condition of the suspected criminal, and whose findings should materially enter into the determination of the degree of guilt of such an offender. In fact, there is no mal-adjustment of any individual to society that does not offer a field in which such a scientist might operate to suggest a point at which the insufficiency of the individual to care for himself and to respect the rights of others should be met by the health and the strength of organized society in order that both the individual may be protected and society may be preserved against any influence that would tend to deny its realization of the best things possible for it to enjoy. Psychology is, as yet, a comparatively new science, but when the most searching observation and test will have been augmented and explained by anthropometric records, statistics in the field of heredity, experiments in paidology and pedagogy, and investigations in the fields of neurology, pathology and bio-chemistry, we shall have every reason to believe that the commonwealth will make no mistake in organizing its affairs and legislating its will upon the basis of the most scientific research that it can employ. Nay, more, it is wholly the privilege as well as the duty of the state to deny itself no opportunity or obligation that will assure to its people, life, liberty, and the pursuit of happiness in ever increasing abundance.

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